

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
WESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LENARD MORRIS,

Defendant.

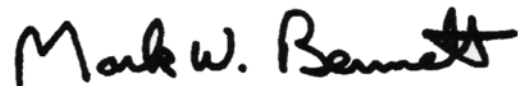
No. CR05-4085-MWB

ORDER

This matter comes before the court on the defendant's motion to modify sentence (docket no. 262) and amended motion to modify sentence (docket no. 266). The defendant filed the former motion on June 17, 2013, and the latter motion on July 8, 2013. The court lacks the authority to further reduce the defendant's sentence under 18 U.S.C. § 3582(c)(2) and USSG §1B1.10. Moreover, 18 U.S.C. § 3582(c)(2) does not permit a court to determine whether the government should have relied on 18 U.S.C. § 3553(e) during the defendant's sentencing hearing. Accordingly, the defendant's motion to modify sentence (docket no. 262) and amended motion to modify sentence (docket no. 266) are denied.

IT IS SO ORDERED.

DATED this 6th day of January, 2015.



MARK W. BENNETT
U. S. DISTRICT COURT JUDGE
NORTHERN DISTRICT OF IOWA